

HON. BENJAMIN H. SETTLE

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

SEA GREEN PARTNERS, LLC, a Washington
limited liability company dba SEA MARINE,
LLC,

Plaintiff,

vs.

BARBARA GAIL, official number 670676, her
engines, machinery, tackle, apparel, furniture,
equipment, cargo, and appurtenances, and *In Rem*,
RICHARD PACK and BARBARA ZIMONJA, his
wife, and their marital community, MARGENE
MARINE LLC, a Wyoming limited liability
company, WESTERN WATERS LLC, a Colorado
limited liability company, *In Personam*,

Defendants.

AT LAW AND IN ADMIRALTY

No.: 3:20-cv-05142-BHS

**ORDER GRANTING STIPULATED
MOTION REGARDING CASE
SCHEDULE**

NOTING DATE: August 24, 2022

STIPULATION

This stipulated motion seeks to remedy errors in recent prior stipulations. The parties have been diligently and cooperatively engaged in discovery under the assumption that discovery would be complete on **October 28, 2022** and that trial would commence **March 28, 2023**.

The Court issued a case scheduling order on June 14, 2023. Dkt. #47. The parties negotiated extensions of two deadlines related to expert discovery, and attempted to modify those two deadlines only in its stipulated motion filed on August 18, 2023. Dkt. #53.

Unfortunately, due to a misunderstanding, that motion purported to change more than the two

expert discovery deadlines, including moving trial up by nearly two months and moving the discovery deadline up by two weeks. The parties conferred and filed an amended stipulation on August 19. However, an additional error resulted in the incorrect version of the stipulation being filed. The Court issued a case schedule effecting deadlines not agreed to by the parties in its minute order of August 19, 2022. Dkt. 55.

The parties intent in stipulating was to leave all case schedule dates in place from this court's minute order of June 14, 2022, Dkt. #47, *except* expert disclosure deadlines. The parties seek to effect all of the dates from the June 14, 2022 minute order *except* short extensions of the expert discovery deadlines from the June 14, 2022 minute order.

MOTION

The parties jointly move for the below deadlines.

FIVE DAYS JURY TRIAL set for 9:00 a.m.	March 28, 2023
Disclosure of expert testimony under FRCP 26(a)(2)	September 15, 2022
Disclosure of rebuttal expert testimony under FRCP 26(a)(2)	October 15, 2022
All motions related to discovery must be filed by	October 13, 2022
Discovery completed by	October 28, 2022
All dispositive motions must be filed by	November 10, 2022
Deadline for formal mediation	December 2, 2022
Motions in limine should be filed pursuant to Local Rule CR 7(d)(4) by	December 29, 2022
Agreed pretrial order filed with the Court by	January 12, 2023
Trial briefs, proposed voir dire, jury instructions, agreed neutral statement of the case and deposition designations due by	February 17, 2023
Pretrial conference will be held at 1:30 p.m. on	March 13, 2023
TRIAL	March 28, 2023

The Stipulated Motion Regarding Case Schedule, Dkt. 59, is GRANTED.

IT IS SO ORDERED this 24th day of August, 2022



BENJAMIN H. SETTLE
United States District Judge

SUBMITTED this 24th day of August, 2022.

<p>DAVIS ROTHWELL EARLE & XÓCHIHUA, PC</p> <p><u>/s/ John E. Moore</u> By: John E. Moore John E. Moore, WSBA No. 45558 Attorney for Counterclaim Defendant SEA GREEN PARTNERS, LLC dba SEA MARINE, LLC 701 5th Avenue, Suite 5500 Seattle, WA 98104 jmoore@davisrothwell.com</p>	<p>MULLAVEY, PROUT, GRENLEY & FOE, LLP</p> <p><u>/s/ Daniel A. S. Foe</u> By: Daniel A. S. Foe Counsel for Plaintiff SEA GREEN PARTNERS, LLC dba SEA MARINE, LLC 2401 NW Sixty-Fifth PO Box 70567 Seattle, WA 98127 Email: dfoe@ballardlawyers.com</p>
<p>HOLMES WEDDLE & BARCOTT, PC</p> <p><u>/s/ Lafcadio Darling</u> By: Lafcadio Darling, WSBA No. 29963 Counsel for Defendants/Counterclaimants BARBARA GAIL, RICHARD PACK, BARBARA ZIMONJA, and MARGENE MARINE LLC 3101 Western Avenue, Suite 500 Seattle, WA 98121-3071 Email: LDarling@hwb-law.com Email: KLavoie@hwb-law.com</p>	